

EU Visa Liberalisation: Dialogue or Monologue?

The EU Visa Liberalisation Dialogue as an instrument and source of influence on Ukraine

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"The team of Mr. President Viktor Yanukovich has proven that they properly understand European integration not as a set of beautiful slogans, but as a concrete plan of hard work to introduce EU standards and regulations in various areas of Ukrainian life ..."

Kostyantyn Gryshchenko¹

1. Introduction

The dissolution of the Soviet Union (SU) in 1991 led to a global rethinking of geopolitical strategies and foreign policies. Equally so for the European Union (EU). The EU carried out an image of liberal democracy as the ideal state form, which accordingly, should be aspired by former SU states. Since then, several policies were adopted by the EU to keep these new-born states connected to Europe. The overarching programme is the EU Neighbourhood Policy (ENP) that has been running since 2004.

The exile of former Ukrainian president Viktor Yanukovich on 21 February 2014 marked a pivotal moment in this post-Cold War part of history. The failed attempt by Yanukovich to build an authoritarian regime and the popular reaction against it, meant an overall disruption of the institutional foundations of Ukraine. To add further complexity to the crisis, Russia did not recognize the legitimacy of his removal. The domestic conflict turned international when Moscow interfered with Ukrainian sovereignty by annexing Crimea. It appears that at some point in time, Europe had forgotten to care for its neighbour.

Nevertheless, Ukraine had been one of the ENP partner countries. One of the policies conducted by the EU in an attempt to transfer its democratic values and economic institutions to Ukraine is the Visa Liberalisation Dialogue. These dialogues establish long term conditions and requirements for the EU's partner countries to be granted with visa free travel to the EU for all its citizens. The aforementioned citation of former Vice Prime Minister Gryshchenko suggests this dialogue had extensive influence on Ukraine's policies and was successful in its transformative ambitions.

The regulation of migration issues and visa liberalisation had been latently present in negotiations, but grew more salient after the visa liberalisation for EU nationals travelling to Ukraine, in 2005. Whether this was a gesture of goodwill towards the EU or an economically strategic move, some form of recognition could have been expected from the EU side.

The EU however, upholds a strategy of conditionality when it comes to granting agreements to partners. In this sense, it aims to exert transformative power over the domestic policies of its neighbouring countries towards alignment with the EU frameworks of liberal democracy. This research aims to add to existing studies on the transformative power of Europeanisation beyond EU territory, in particular through the Visa Liberalisation

¹ Former Vice Prime Minister of Ukraine Kostyantyn Gryshchenko during his speech at the international conference "The Way Ahead for the Eastern Partnership" in Kyiv. Press Service of Vice Prime Minister, 11.10.2013. Access: <http://www.kmu.gov.ua/control/en/publish/printable_article?art_id=246756726>

Dialogue. The main question that shall be researched here, is *'What explains the level of success of the instrument of Visa Liberalisation Dialogue for the EU's transformative power?'*

In this research the package of Progress Reports offered by the EU, will be used as a case study to analyse EU influence through the Visa Liberalisation Dialogue. These are four progress reports on the implementation of First Phase benchmarks concerning visa legislation and requirements. The progress reported in these documents shall be compared with the relevant legislative proposals from Ukraine.

By applying theoretical frameworks to practice, their validity is tested and points of improvement are identified. Exposing a potential discrepancy between theoretical expectations and empirical findings may contribute to the necessity of a revision of Europeanisation tools. The chosen case study allows for a more comprehensive understanding of the geopolitical context in which the EU operates when it grants agreements: the political developments in Ukraine and Ukraine's sphere of influence have been of decisive influence on the Visa Liberalisation Dialogue. The political salience of the Ukraine negotiations offers a relevant empirical background to the theoretical question in this research.

2. Theoretical framework

The theoretical backbone of this research is provided by the works of Olsen, Börzel and Risse. These authors have taken it upon themselves to describe the phenomenon of Europeanisation and provide analytical models regarding EU influence. Within the theoretical field of Europeanisation studies, Europeanisation is considered a top-down process in which the EU exerts influence over neighbouring states' domestic policies and administrative structures towards closer integration with EU institutions and norms (Börzel and Risse, 2012).

To foster a useful understanding of the dynamics that Europeanisation creates in non-EU states, the definition used in this research is provided by Olsen (2002). According to Olsen, Europeanisation is best defined as 'a limited set of ordinary processes of change' by means of 'exporting forms of political organization and governance that are typical for Europe beyond the European territory' (Olsen, 924). Börzel and Risse explore to what extent European Union policies and institutions influence its neighbourhood countries and provide a conceptual framework to do so. These frameworks are used in this research to scrutinize the Visa Liberalisation Dialogue as an instrument of Europeanisation.

To assess the influence of the EU over domestic policies, two models of influence are defined. These are models of indirect and direct influence. In the direct model, 'an agent of diffusion actively promotes certain policies or institutional models in her interactions with a receiving actor or group of actors' (Börzel and Risse, 5). Elaborating, there are four mechanisms of inducing institutional change. One of these mechanisms takes the form of legal coercion. This mechanism is hardly applicable to the EU's external relations and thus this case study, as its partners fall outside the EU's jurisdiction. A second mechanism is formed through negative and positive incentives in the form of e.g. financial assistance or sanctions. The third mechanism works through 'normative rationality or the logic of appropriateness and involves socialisation' (Börzel and Risse, 7) meaning actors comply with behaviour that is socially expected. Following this logic, the EU is an institute of

socialisation, promoting norms and structures that are commonly upheld and expected to be implemented. The fourth mechanism is persuasion. As for the EU, this results in an emphasis in the political dialogue on human rights and the EU's normative superiority, placing it close to the third mechanism of socialization.

If the direct model of influence is applied to this case study, an expected observation of the Visa Liberalisation Dialogue with Ukraine would be that compliance with EU norms and institutions is a direct response to an active attempt by the EU at socialization and persuasion. If this is the case, then visa liberalisation is an adequate positive incentive to stimulate and guide domestic reforms.

However, a risk lies in applying this rather top-down model, which is acknowledged by Börzel and Risse. Because the EU is accepted as the main source of domestic changes, other factors and potential causes are too easily overlooked, such as geopolitical actors involved or a latent internal drive for change. An alternative orientation is further defined by Dyson and Goetz, who consider the relationship between the EU and any third nation-state as circular rather than top-down or unilateral. According to them, Europeanisation is a complex process of both top-down as well as bottom-up integration in which 'domestic actors use European integration to shape the domestic arena' (Dyson and Goetz, 20). In this manner, the partner country goes from being merely a recipient of transformation, to an actor consciously following the path of Europeanisation.

The second model considers these factors of indirect influence. It acknowledges the abovementioned need for a more circular approach. According to this model, the mechanisms for EU induced change are 'normative emulation, lesson-drawing, and competition' (Börzel and Risse, 3). Following the emulation mechanism, this actor is seeking to adopt previously formulated good case practice institutional solutions to adapt to. The mechanism of competition implies an actor will always strive to improve his performance, being either political, economic or normative. The mechanism of lesson-drawing resembles the first mechanism, yet results in selective adaptation of institutional solutions, 'since they need to be tailored to the problems at hand' (Börzel and Risse, 10). As for normative emulation, the goal of the actor is to increase his legitimacy. As demonstrated through the available mechanisms, the indirect model places more agency with the receiving end of the negotiations.

The indirect model implies that because of the higher perceived legitimacy of the EU, a direct impulse of the EU is not conditional for Europeanisation within Ukraine. As for the Visa Liberalisation Dialogue, this would result in a more active role for Ukraine, as well as a perceived normative superiority of the EU. What could be expected from this more two-way oriented definition of Europeanisation is that reforms in Ukraine may only be traced back to the Visa Liberalisation Dialogue to a certain extent.

For both models of influence, four variables are identified that influence the success of Europeanisation. These being firstly a domestic demand for change and secondly the presence of statehood and institutional and administrative capacities. Thirdly, the type of domestic regime and its resonance with EU norms, and lastly, power and resource asymmetries strengthening the EU's leverage (Börzel and Risse, 2012).

The Visa Liberalisation Dialogue as part of the EU's migration policy is recognized to be a powerful instrument 'in terms of making third countries comply with a range of EU-set conditions in the realm of Justice and Home Affairs (JHA)' (Trauner, 127). Up until 2003 this realm covered the areas of, among others, immigration, visa and asylum. The instrument is and has been extensively used in countries in the EU's eastern and south-eastern hemisphere. The four conditions for success of Europeanisation as well as the models of direct and indirect influence that have been identified, are used here to assess and scrutinize the transformative influence of the Visa Liberalisation Dialogue, as an instrument in transforming Ukraine's policies.

3. Case

This research focuses on the Visa Liberalisation Dialogue with Ukraine. Unlike many of its former Soviet neighbouring states, Ukraine did not turn its political and foreign policy institutions 180 degrees after gaining independence. Rather, its old elite remained in place. The continued ruling of this *nomenklatura*, the former Soviet elite, did not only cause for a continued cycle of political malfunctioning, it also created the basis for Ukraine's ambivalent, multi-vector foreign policy (Prizel, 2002). Both Russia and the EU were kept within an allied relationship, without any unconditional commitment to one or the other. Although it has been argued that in these early post-communist years the EU upheld a 'Russia-first' strategy (Kuzio, 2012), it had the desire to keep Ukraine as well as the other neighbouring states within its sphere of influence.

Although the EU was motivated for Europeanisation, the effectiveness of its policies appeared marginal when Ukraine found itself in a domestic, soon to be international crisis in November, 2013. The ambivalent relation between the EU and Ukraine had proven insufficient to foster comprehensive reforms towards the effective elimination of corruption and extractive institutions (Matuszak, 2012). Widespread protests illustrated the popular discontent with the administration upholding these practices.

The recent events in the young nation have undoubtedly changed the relationship with the EU. Its effects on the Visa Liberalisation Dialogue have been noteworthy. This sheds a new light over the level of success of the EU's transformative power, in a changed geopolitical outlook. This makes Ukraine a remarkable case study.

3.1 Methodology

The aforementioned theoretical approaches of the EU are part of a larger web of methodological theories. With a central focus on EU identity formation and its transformative influence, in this research the benefits of discourse analysis are used. As a research method, discourse analysis mostly focuses on the structures and language that streamline communication and behaviour. In this manner, it is able to expose and reveal potential contradictions or limits within a particular discourse, and the means by which its validity is achieved.

The benefits and potential of using discourse analysis in analysing the EU's foreign policy towards Ukraine, can be found in its argumentative tools. Thanks to its critical stance towards structures, discourse analysis shows that meaning and identity are endowed upon objects, states and subjects. Accordingly, the main theoretical premise of discourse analysis is its contestation of objectivity in science (Milliken, 1999).

Furthermore, discourse analysis allows for an understanding of changes in policy ideas. Although discourse analysis perceives identity as the result of multiple repetitive acts, statements and practices through time, it structures 'ways of thinking about continuity that may nevertheless allow for a lot of change and incremental development' (Schmidt, 112). Because discourses are contingent upon their context, they are only partially fixed.

As applied to the study of EU foreign policy and the Visa Liberalisation Dialogue as an instrument of Europeanisation, discourse analysis is capable of placing the EU as an agent within a wider discursive field. An agent is defined by both its actions as well as its discursive reality. This matters to the EU, as it bases most of its legitimacy on its identity. The discursive field is relational in the sense that the EU further develops its own identity in comparison to other identities of players in the international field. Discourse analysis is capable of identifying how the agent has influenced and used the discursive field, the discourse, to create its own identity and reality. The theoretical premises of discourse analysis demonstrate that it is critical to retrace the social reality, context, in which the EU operates, as it is part of its own identity.

To this end, firstly the Progress Reports shall be scrutinized on the character of the language employed and its choice of emphasis on certain topics. According to discourse analysis, these do not necessarily reflect reality, rather, they shape it. Secondly, the transformative strength of the EU shall be assessed against the context in which the EU-Ukraine Visa Liberalisation Dialogue took place. Additionally, the Visa Liberalisation Dialogue falls within a wider range of instruments. These instruments have been constructed by the EU and shall be further assessed following.

4. The EU's direct sources of influence

According to the direct model of influence, the level of success of the Visa Liberalisation Dialogue is explained by mechanisms that induce a direct response to active Europeanisation attempts. The models of direct and indirect influence are applied to the institutional framework of mechanisms that the EU has at its disposal here.

4.1 European Neighbourhood Policy

The main policy framework for the Visa Liberalisation Dialogue is the ENP. This policy was adopted against the backdrop of the 2004 EU enlargement and serves as an umbrella for all EU policies related to closer integration with its eastern neighbours. The main purpose is to secure the EU's instrumental interests, such as security and stability in its neighbouring states. Currently, it has been adopted by 12 of the EU's neighbours.

The ENP portrays the EU vision of a gradually expanding European 'transformative power' (MacFarlane, 96) and the need for a ring of countries with good governance as an underlying strategy. To this end, the ENP candidly aims at promoting values of democracy, rule of law and respect of human rights (EC, 2013). The EU implicitly assumes these values as common goods and in this stage does not mention economic or geopolitical interests. Its explicit definitions of these values, such as 'free and fair elections, freedom of expression, of assembly and of association, judicial independence, [the] fight against corruption and democratic control over

the armed forces' (EC, ENP, 2013) are predominant and theoretically they set a moral agenda rather than an economic one.

Nevertheless, its desire to bring the Ukrainian economic and political system in line with the framework of the single European market is easily derived. The consequences of adopting the ENP involve economic participation under EU-governed institutions and the promotion of consumer protection standards. In addition to the moral agenda, EU trade is thus strongly promoted.

The ENP is an explicit alternative to enlargement and the EU is eager to mention that the implementation of the ENP has no bearing over the process of EU enlargement and membership. By offering the neighbourhood policy, the EU creates a sphere of influence but simultaneously keeps Ukraine at a semi-distance, formally excluding EU membership as a future possibility. However, the ENP documents explicitly note that the values should lead 'toward approximation with EU standards' (EC, 2013) and could therefore be interpreted as a steppingstone towards membership.

4.2 Action Plans

In order to strengthen the capacities of the ENP, the development of an EU strategy on third country migration received further attention by the EU. The EU worked to construct Action Plans (AP). These bilateral agreements with each ENP country serve as a basis for future negotiations. The main expectation was that the AP's would serve the broader goal of 'fighting illegal migration, upgrading the asylum systems to EU standards, setting up integrated border management structures aligned to the EU *acquis*' (Commission of the European Communities, 2008) within the context of the EU's wider transformation objectives in the region. Bilateral talks were announced as the first step towards a constructive dialogue.

Next to the broader goals of the EU migration strategy, multiple Progress Reports contain concrete steps to be implemented. These steps address numerous legislative changes ranging from technical additions to broader framework changes. The progress on their implementation is monitored by Commission staff and the DG of Home Affairs, which publishes working documents that accompany the close to yearly Progress Reports from the European Commission (EC) to the Council, the European Parliament (EP), the European Economic and Social Committee and the Committee of the Regions. However in this case, only one of those documents accompanied a Progress Report. Progress Report 5 was the first report analysing the progress of the second phase of the negotiations and falls outside the scope of this case.

4.3 Visa Liberalisation Dialogues

After the fulfilment of facilitation and readmission agreements, a partner country may enter into the dialogue on visa liberalisation, which is now known as the Visa Liberalisation Dialogue. A roadmap on further reforms is then outlined. Through these dialogues, the EU claims to work towards visa-free travel possibilities subject to the fulfilment of several conditions, which mainly concern the protection and security of identity documents, yet also extend to issues of human rights. The EU partner countries enter these dialogues to be removed from

the list of countries whose nationals must be in possession of visas when crossing the external EU borders (EC, 2001). The three Eastern Partnership countries currently involved in Visa Liberalisation Dialogues are Ukraine, Moldova and Georgia.

The dialogues are based on the 'Visa Liberalisation Action Plans' (VLAP). This roadmap of reforms includes four blocks of benchmarks related to 'document security, including biometrics; border management, migration and asylum; public order and security; and external relations and fundamental rights' (EC, Progress Report 1). From the wide variety of parameters the EU uses, those most salient are assessed in this research. The matching of these benchmarks requires far-reaching technical reforms and has given the Visa Liberalisation Dialogue a rather technical character.

A milestone in the visa liberalisation discourse was reached with the establishment of visa-free travel with the Western Balkan countries Macedonia, Montenegro and Serbia. With it, however, 'the implementation of non-security related measures has gained importance' (Trauner, 136) as the Balkan liberalisations also led to a serious 'rise of manifestly unfounded asylum applications in the EU' (Trauner, 133). Consequently, in the wake of the visa liberalisation experience with the Balkans, the instrument underwent profound changes.

An additional lever for the EU became the second tier of benchmarks. Not only does a VLAP plan for legislative alignment of the overall policy framework under the first-phase benchmarks, the judiciary is now also involved with the implementation, to guarantee effectiveness and sustainability. In other words, the EU holds increased power over the post-visa liberalisation phase through the continued monitoring of expected reforms, balancing the conditionality approach with a safeguard mechanism. The safeguard allows the EU to 'react in the best possible conditions to any specific difficulties' (Council, 2010), meaning the Commission holds permission to suspend visa free travel if situations of difficulty or crisis. These are called 'emergency consultation arrangements'.

Even after the fulfilment of all the technical criteria set by the VLAPs, it is still up to the EU's member states to grant the ENP partner country visa free travel. The changed set-up thus not only increases the importance of the EU's conditions, it also provides the Member States with more influential moments of decision making. This has undeniably increased focus on the political considerations and diverted attention away from the 'actual (technical) adaptation performance of the target third country' (Trauner, 4). This implies that the conditionality of far-reaching technical reforms does not automatically imply granted liberalisation. Rather, in the end it is dependent upon political decision-making, creating an instrument of politicized, technical character.

4.4 Comments: EU designed influence

A restrictive visa regime is two-sided. A strict control of border security prevents instability and outside threats from having effect in EU territory. However, the EU aims to display itself as a normative power upholding strong and close relationships with its neighbouring countries. Following this logic, loose visa restrictions reflect the EU's 'administrative culture and goodwill standards regarding the country of stay and its citizens' (Sushko et

al, 15). Thus, a balance needs to be sought between internal security and external stabilisation and its image as a friendly neighbour (Trauner, 2014).

The moral agenda that is set by the ENP is an indicator that the EU expects to be regarded as a normative superior to its negotiation partners, who are on the receiving end of this agenda. The AP's that contain numerous requirements and conditions then, will subsequently be implemented because they are socially expected to be complied with. Judging from the EU statements and definitions of the ENP, the ENP is accordingly categorized under the socialisation and persuasion mechanisms of direct influence. In this manner, changes in Ukraine and other partner states are posited to be the direct consequence of the EU policy.

The direct effect of visa liberalisation of increased mobility could eventually 'generate economic growth and reinforce positive developments abroad and at home' (Sagrera, i). Visa liberalisation thus also constitutes a powerful economic incentive for the implementation of reforms on the receiving end. In comparison with other 'carrots' the EU can offer, it might even be considered as a stronger political tool: 'Comparing it with the offer of stabilisation and Association Agreements [...] visa free travel has proven to be more efficient' (EU official in Trauner, 129). Thus, comparable to the ENP, the dialogues are presupposed by the EU as an additional source of direct influence, although its mechanism may be different.

The second set of benchmarks provides the EU with further leverage over the implementation of the partner country's legislative alignment. This has enlarged the EU's power of pushing policy reforms even post-visa liberalisation and takes away some of the uncertainty paired with granting visa liberalisation. The leverage that the EU may exert through the Visa Liberalisation Dialogue with Ukraine as an incentive for institutional reform, has thus remarkably increased by the introduction of the implementation provisions.

In conclusion, the EU has several sources of top-down transformative power at its disposal. The manner in which these are designed, indicates it holds direct influence over the partner country. The Visa Liberalisation Dialogue is perceived as a highly effective tool, as it promises both normative as well as economic benefits.

5. EU-Ukraine Visa Liberalisation Dialogue

Having given an outline of the theoretical and institutional framework of cooperation between the EU and ENP-states in the field of migration, the dialogue with Ukraine and the level of actual direct influence of the EU can now be further assessed. The four progress reports on the implementation of several benchmarks guide this assessment.

Ukraine was presented with its first AP on broad issues in the realm of JHA in 2003. Shortly after the 2004 EU enlargement and Ukrainian Orange Revolution, Ukraine was presented with an additional 'Recommendation on the implementation of the EU-Ukraine Action Plan', which contained general issues concerning the EU Ukraine relationship. The AP was regarded as a tool in the further fulfilment of the provisions in the Partnership and Cooperation Agreement (PCA) (EC, 2004).

In response, a road map was created by Ukrainian experts, building further on several areas of cooperation as defined in the AP, including the co-operation in JHA. Additionally, the broad promise in the AP of 'establishing a constructive dialogue on visa facilitations' with a view of 'preparing for future negotiations on a visa facilitation agreement' (EC, 2004, 6) was further elaborated in this Road Map.

Whether it was a response to the Orange Revolution, a strategic economic consideration or a sign of goodwill in the Ukraine-EU relations, visa requirements for EU citizens were cancelled in 2005. Two years later Ukraine would be the first of the Eastern Partnership countries to sign a Visa Facilitation Agreement (VFA) and a Readmission Agreement (RA). These agreements for the first time contained the introduction of a visa free travel regime for the citizens of Ukraine as a long term perspective upon the fulfilment of all conditions mentioned in the document (European Community, 2007).

The EU has published five progress reports on the speed and nature of the reforms in Ukraine in the context of the VLAP offered to Ukraine in 2010. The first four of these concern the speed of development on the first phase benchmarks. The language and choice of conceptual emphasis of these documents shall be examined here and scrutinized in light of the legislative proposals from and actual reforms that took place in Ukraine between the presentation of the VLAP in 2010 and the fulfilment of the first phase requirements in 2013.

The positive conclusions regarding the first phase conditions of the VLAP indicate the EU had successfully used the direct sources of influence at its disposal in order to induce reforms towards the EU legislative models.

5.1 Action Plan on Visa Liberalisation and Progress Report 1

Ukraine received its VLAP in November 2010 during a Ukraine-EU summit. The VLAP introduced Ukraine-specific benchmarks that needed to be matched in the usual four blocks. Block 1 concerns the security of documents, including biometrics. Block 2 covers irregular immigration. Block 3 gives recommendations on public security and order, including anti-corruption measures. Block 4 handles external relations and fundamental rights. The VLAP embodied the operationalization of the EU-Ukraine visa dialogue and served as a guideline of further reforms, with additional issues comparable to earlier negotiations and the Association Agreement (AA).

Issues that stand out in the VLAP is the heavy administrative burden placed on Ukraine regarding document security. Also, Block 4 of the VLAP contains numerous provisions on democracy and human rights safeguards in Ukraine, as well as on the fight against crime and corruption. The main provisions of the VLAP and the tasks it put forward for Ukraine could be summarized as following: approval and 'adoption of a National Integrated Border Management Strategy and an Action Plan for its effective implementation' (EC, Progress Report 1, 4) in order to develop policy provisions and legislation on asylum in further compliance with EU standards. Ukraine up until then had been indecisive over its national strategy on migration management. With an ambivalent policy on many of these issues, the VLAP had the potential of settling long running legislative issues. Further policy tasks outlined by the VLAP are related to this issue and concern for instance the monitoring of migration flows.

Progress Report 1

The EC published Progress Report 1 less than a year after the VLAP, in September 2011. In February of that year, a Coordinating Centre for implementation of the EU-Ukraine Action Plan on visa liberalisation had been established. Subsequently in April of that year, President Yanukovich signed a Presidential Decree on the Nation Plan stimulating the implementation of the VLAP. At this time, several attempts were thus taken by the Cabinet of Ministers of Ukraine to create a state migration policy and to define many of its concepts, but the drafts were repeatedly rejected by the *Verkhovna Rada*, Ukraine's parliament. Consequently, 'Ukrainian migration policy is fragmentary: a number of essential migration policy elements are either not developed enough, or completely absent from Ukrainian practice' (Prybytkova et al, 6). Thus, when Progress Report 1 was published there was no agreement on a national strategy on migration management yet.

This issue was foreseen in the VLAP and is mainly ascribed to the absence of effective institutional structure for migration management (EC, 2004). Observational and policy tasks concerning migration were divided between several ministries and institutions, blurring the legal and institutional framework. A State Migration Service existed, but at the time of Progress Report 1 it was not yet a capable institution for effective migration management: 'there is no specialized centre for migration studies in Ukraine capable of uniting expert work on different research fields' (Kuzmin, 125). The lack of adequate institutional structures hindered further progress.

Likewise, soon after the VLAP was presented to Ukraine, Minister of the Interior, Anatoly Mogilev, announced the production of biometric passports to start in the summer of 2011 (Vidido, 2011). In December 2012 a law came into force that envisaged the introduction of electronic passports for Ukrainians (Kyiv Post, 2012). However, the technical provisions of the VLAP concerning biometric documents in September 2011 were not yet able to 'match European standards according to most parameters' (Europe without Barriers, 5) and 'do not correspond to minimum requirements' (ibid, 58).

Overall, progress over Document Security, summarized in Block 1, was slow, if not absent. Success was most notable in Block 2, regarding illegal and irregular immigration. The 2009 *Law on border control*, on inter-agency cooperation and state border guard service and law enforcement, was revised to meet EU requirements in December 2010 (CARIM, 2010).

Progress in Block 3 and 4 was seen as more modest. In several footnotes it is noted that in key issues, 'such as the setting up of an independent body overseeing the implementation of the national anti-corruption strategies' (EC, Progress Report 1, 9) little to no progress was made. The EC also acknowledges further details and information are required in order to come up with a detailed assessment of progress. Nevertheless, the progress was sufficient for the EU to name the proposals under way 'a first important step' (EC, Progress Report 1, 3). Overall, the report is conclusive that decisive progress was made in several areas and the EU remained clear that 'the Action Plan on Visa Liberalisation is an important tool for advancing reforms in the JHA area and beyond' (EC, Progress Report 1, 17).

Although the VLAP had the potential of mobilizing governmental structures and increasing effective decision-making, many provisions were perceived as being only in the EU's interest of 'trying to protect itself from migration threats originating in Ukraine' (Kuzmin, 119). Admittedly, many issues of the VLAP are of security concern, related to potential illegal migration flows. The most salient technical provision is the section on document security. On the other hand, the report's tone is most strict on the third and fourth category as opposed to its rather positive conclusions on Block 2 regarding irregular immigration.

Overall, Progress Report 1 conducts a strict observational language, while upholding positive expectations of the transformative potential of the dialogue itself.

5.2 Progress Report 2

Only five months after the first report in February 2012, Progress Report 2 was published. It further assesses the implementation of the VLAP, following the Progress Report provided by Ukraine of November 2011.

Concerning document security and biometrics, the EU concludes that limited progress was made. Several legislative attempts had been undertaken to create the legal basis. However, some of the proposed legislation, for instance the law: '*On Documents Identifying a Person and confirming citizenship of Ukraine*' had been proposed by the Rada yet had not been signed by the President. This indicates a gap between Ukraine's legislative capacity to reform and the executive will.

Also, the 'Regulation on the State Migration Service of Ukraine' was approved on 6 April 2011' (EC, Progress Report 2, 3). This institution was given the capacity to execute a desired national migration policy, which also meant increased responsibility of the civil servants involved as well as the Ministry of Justice overseeing its tasks. Consequently, 'the division of responsibilities with regard to receiving applications for and issuing residence permits is unclear' (EC, Progress Report 2, 9) meaning simply, that corruption had bigger chances of occurring. Anti-corruption measures in Ukraine up until this point had remained vague and unspecified. This created a limitation to the effectiveness and benefits of a national State Migration Service as well as policy.

Concerning Block 2 on irregular immigration and readmission, the report continues with the positive findings of the first report and notes that the legislative and institutional framework adopted, could lay basis for an effective migration management. However, the report is cautious to note that 'Ukraine should also align other legislation' (EC, Progress Report 2, 10), meaning the overall interagency cooperation and legislative consistency could improve.

Regarding Block 3, 'some further progress' is noted for the benchmarks regarding public order and security. Although a legislative basis which is 'broadly in line with international standards' had been developed in comparison with the previously noted progress, these laws were not accompanied by an action plan, nor timeframe or clearly identified actors. Especially concerning corruption 'the legislation adopted remains incomplete and in some respects ambiguous' (EC, Progress Report 2, 10). Again, there appears to be some discrepancy between legislative will and administrative or executive capacity.

The report is much stricter on progress in Block 4 regarding 'External relations and fundamental rights' and is reluctant to accept the status of legislation in Ukraine as acceptable. Although at this point much of Ukraine's legislation was in line with the relevant international conventions, its implementation was not supported by secondary legislation. That 'Ukraine has not yet adopted comprehensive anti-discrimination legislation in order to ensure effective protection against all forms of discrimination, which is one of the main issues to be addressed under block 4' (EC, Progress Report 2, 12) indicates how the existing legislation was not sufficiently harmonised with provisions of the guiding treaties and conventions. Although the basic framework was present, its effective implementation was not.

Progress Report 2 is the first to mention the future assessment of the second tier benchmarks, but postpones a decision regarding this phase to the next report. This note possibly indicates a fatigue with the continuous demand of reforms from the Ukrainian side, that needed to be met. Nevertheless, the EU remains firm in its scrutiny of the slow progress of legislative implementation.

5.3 Progress Report 3

In November 2013, Progress Report 3 was issued, over a year after the second report and days before the protests at the Independence Square in Kyiv escalated into violence. According to the report, the 'basic legislative framework' concerning biometric document security was now largely in place (EC, Progress Report 3). For instance, a framework law concerning demographic registry laid out basic rules. However, what this meant in practice, was that the Rada had adopted several legislative measures but the practical adaptation of fingerprints and the obligation of carrying the new passport were absent.

On Block 2, the report concludes, much in line with its earlier findings, that the 'necessary laws are in place along with the institutional framework' (EC, Progress Report 3, 5). In the area of asylum, only some improvements were deemed necessary, mostly related to security and protection of asylum seekers.

As for Block 3, the report shows overall satisfaction with the progress made and the legislative basis in place. The basic legislation that was reported in Progress Report 2 had been finalised and amended. The EU had previously clearly expressed its disappointment with several legislative changes, such as the developments of the law on the functioning of the Prosecutor's Office (EEAS, 2012). The framework was now deemed clearer on the division of responsibilities: 'the new Criminal Procedure Code clearly outlines the leading coordinating and supervisory role of the Prosecutor's Office, stipulating who has the power of decision in the event of conflict' (EC, Progress Report 3, 12).

Concerning the external relations and fundamental rights of Block 4, anti-discrimination continues to be a problematic issue on the reform agenda. Some legislation on inclusion and anti-discrimination was adopted, such as a framework law on preventing and combating discrimination. This was, however, deemed not sufficient: 'legal certainty is still insufficient' (EC, Progress Report 3, 22) not only regarding its implementation, but equally so for the content of it. The Venice Commission, which gives advice on the improvement of democratic institutions and human rights to the Council of Europe, found several issues problematic in

particular. For instance, the pending laws on the 'propaganda of homosexuals' would pertain a limitation of the freedom of speech. Overall, the framework law did not meet the requirements of 'sufficient legal certainty as regards the prohibition on discrimination on the grounds of gender identity and sexual orientation' (EC, Progress Report 3, 25) and numerous other standards, such as the protection of refugees.

To sum up, the legislative framework on anti-discrimination at this point needed to be further strengthened 'to provide adequate legal protection against discrimination in line with European and international standards' (EC, Progress Report 3, 27). Again, the report reflects that legislative measures were not sufficiently harmonised with the administrative capacity of effective implementation.

As the authority of the State Migration Service continued to grow in institutional capacity and coordinating responsibility ever since its establishment in 2011, so did the need for effective anti-corruption measures. To match the EU demands concerning the battle against corruption, several rules were created in order to establish a basic code of conduct for Ukraine's civil servants to address 'the issue of conflicts of interest and the prevention of corruption' (EC, Progress Report 3, 4). The Report concludes that the 'content appears comprehensive and contributes to raising civil servants' awareness of corruption and the sanctions incurred' (EC, Progress Report 3, 5).

Nevertheless, the legislation on anti-corruption measures remains a problematic theme throughout the progress reported. Report 3 finds that a comprehensive strategic approach should incorporate the 'monitoring of the national anti-corruption strategy 2011-15', an updated action plan and 'genuine civil society representation' (EC, Progress Report 3, 14). At the date of the report, no actual action against a member of parliament was possible in case of proven corruption: the MP's could not be subject to criminal proceedings without the consent of the Rada itself. The absence of a functional legal framework in these areas would lead 'to a lack of legal security [...] rendering the necessary implementation measures meaningless' (EC, Progress Report 3, 14). In other words, although many other reforms in Block 3 were perceived as satisfactory to EU demands, anti-corruption measures still needed improving.

5.4 Progress Report 4

Progress Report 4, published in May 2014, is significantly less detailed than its predecessors and includes general conclusions on the 'substantial effort undertaken by the new government in Ukraine' (EC, Progress Report 4, 6). In fact, in a Commission press release the general conclusion is published, that Ukraine has 'put in place the necessary legislative, policy and institutional framework' (European Commission, 2014).

The length of the report is not solely what makes it stand out from earlier reports. Progress Report 4 is explicitly influenced by the context in which it was published: 'Ukraine finds itself in an exceptional situation' (EC, Progress Report 4, 2). This exceptional situation referred to the changes in government which had occurred, under turbulent circumstances. After public rallies, a new government had replaced the Yanukovich administration in February 2014, followed by the annexation of their Crimean territories in March that year.

Taking the ambitious statements of the new government on reforms into account, the Report not only assesses the reforms implemented by Ukraine, but also its own responsibility in supporting the attempts at reforms: 'the Commission stated that it will do its utmost to assist Ukraine in solving the remaining issues as speedily as possible'. This commitment was reconfirmed by the recently endorsed European Agenda for Reform for Ukraine, which stated that the EU, in coordination with its Member States, will accelerate efforts to enable Ukraine to move to the second phase of the action plan' (EC, Progress Report 4). The additional, comprehensive support package that was offered to Ukraine in order to speed up the process of visa free travel, rendered the progress reports and earlier implemented reforms nearly irrelevant.

Nevertheless, the EU still has some points of reservation behind its promises. Although offering the completion of the first phase, the Report further states that although the new government has implemented all of the EU requirements, it acknowledges that 'increased efforts will be needed in the implementation phase' (EC, Progress Report 4, 4). This applies to, for instance, Ukraine's asylum system.

Some of the other issues that were urgent in previous reports, had been put aside. For instance, several issues were now perceived as outside of the scope of the report or as less relevant to the visa dialogue: 'The remaining outstanding urgent issue — reforming the rules on lifting immunity for members of parliament — is linked to constitutional provisions and will therefore be addressed as part of an ongoing constitutional reform process' (EC, Progress Report 4, 4). In earlier reports, this was part of the visa related reforms that were required. Also, despite efforts from the new government to address several of the Block 4 issues and its open commitment 'to explicitly prohibit discrimination on the grounds of sexual orientation' (EC, Progress Report 4, 5), scepticism on its progress remained observable throughout the report.

The final conclusion of the report is that satisfactory effort had been undertaken: 'the Commission considers that Ukraine has met the benchmarks under the first phase of the Visa Liberalisation Action Plan and that assessment of the benchmarks under the second phase can be launched' (EC, Progress Report 4, 6). However, it should be noted here that although this step seems and is remarkably progressive, the second phase benchmarks still had to be met, meaning that the EU had some room to manoeuvre left.

5.5 Case findings

Several conclusions may be drawn from the conceptual emphasis and character of language the EU has employed in its reports. The Progress Reports published by the EU cover the time span of 2010 to 2014. This is a period of institutional decline for Ukraine's young liberal democracy as well as civil unrest from late 2013 onwards. The Reports form a sharp contrast with these events as they display a language of development, observing reforms and legislative improvements towards meeting EU conditions.

Progress documented Progress Report 1 indicates how the institutional capacity to implement the VLAP's provisions was present in Ukraine, but found too little resonance on administrative and executive levels. Without a necessary level of commitment and priority, progress would keep a slow pace. Additionally, without

a strong and reformed legal and institutional framework, progress would be further hindered by elements of corruption in the Ukrainian decision making process.

Progress Report 2 again observes a gap between institutional capacity to reform and the executive will is observed. It appears that indeed, 'Ukrainian institutional needs in the field of migration management are above all connected with overcoming the gap between current conceptual and operational challenges and tasks, on the one hand, and the existing institutional capacity, on the other'(Sushko, 41). Although the basic framework was present, its effective implementation was not. Additionally, the further development of the State Migration Service, tasked with the execution of a national migration policy actually increased risks concerning corruption.

A recurring theme that is also found in Progress Report 3 is that of basic legislation being in place, yet unaccompanied by a timeframe or action plan, meaning actual implementation is hindered. The comments on Block 4 in both the third and fourth report show how 'democracy and human rights records constitute sensitive factors for the EU', without significantly influencing the ease or strictness of the visa policy in particular countries' (Sushko et al, 72). Although the issues might be salient, they are not decisive. Progress Report 4 concludes that most of the conditions were now sufficiently fulfilled due to 'a government firmly committed to joining the EU' (Pridham, 59). However, even if so, it was clear that 'economous problems of transformation lie ahead in Ukraine' (Pridham, 59) including a complete economic, judicial and political institutional reform.

In conclusion, the most remarkable findings of the assessments of the four progress reports is the unforeseen turn in language and topical emphasis between the first three and last report. What stands out in particular are the standing issues of Block 4 which are hardly addressed, yet deemed successfully reformed.

6. Conclusions

6.1 Variables of success

As stated earlier, the EU identity is based on the context in which it operates as well as its own actions. Additionally, the level of success of Europeanisation is subject to four variables: a domestic demand for change, the presence of statehood and institutional and administrative capacities, the type of domestic regime and its resonance with EU norms, and power asymmetries strengthening the EU's leverage (Börzel and Risse, 2012). These variables underwent remarkable changes and have changed the context of EU operations.

The overall relationship between the EU and Ukraine has been ambiguous, to say the least. Rather than focusing on bilateral EU-Ukraine relations, priority was given to the relations with Russia, commonly referred to as the 'Russia first' strategy (Kuzio, 2012). The ambivalence of the EU grew further when Yanukovych won elections – this time through legal means, as opposed to his fraudulent victory leading to the Orange Revolution in 2004.

The Visa Liberalisation Dialogue researched here, took place under the offices of Viktor Yanukovych and his post-Maidan acting successor Oleksandr Turchynov. Although general hope and expectations were Yanukovych

had changed his undemocratic ways, a transformative executive in favour of stability and democratic justice, Ukrainian politics would rapidly slide back into semi-authoritarianism. The EU clearly expressed its disappointment with several legislative changes and the overall measures adopted that centralized power towards the office of the president.

Also, the EU at the time of the visa negotiations was aware of the rapprochement of Yanukovich' Ukraine with Russia. At the time, a member of the EP illustratively reflected the general EU sentiment as he stated that general interest in the EU-Ukraine AA was close to zero and 'politicians were watching a Greek tragedy in which they knew in advance who would die and who would win: "And the winner is... Vladimir Putin."' (EurActive, June 2013).

This sentiment is further strengthened by the effects of the strong emphasis that was put on the conditionality of the AA. The failure to come to an agreement would later spark the Maidan turmoil. Despite the fragile balance between the EU, Ukraine and Russia, the EU appeared to have no intention to disregard the political dimensions of the AA. With Russian pressure on Yanukovich growing near the end of July, when the AA was expected to be signed, the EU was still insisting on the satisfaction of the political dimension in the AA: the proposals and progress reports Ukraine had put on the table fell 'short of expectations' (EurActiv, June 2013). Nevertheless, the European External Action Service made it clear the AA and the Deep and Comprehensive Free Trade Agreement (DCFTA) would not be signed 'purely on geopolitical considerations' (EurActiv, June 2013).

These geopolitical considerations however, were highly influential on Progress Report 4. The EU accelerated its plans of integration and deepened its offers after the Maidan turmoil fuelled a regime change in favour of EU transformations. Although this new government had only been in office for a few months and could hardly have addressed the structural issues of earlier reports, the perceived benefits of deepening the EU's offers were 'being applied to Ukraine with a sense of urgency' (Pridham, 56). Influenced by the negative effects of strict conditionality concerning the AA requirements, the EU turned to meet Ukraine halfway. As for the Visa Liberalisation Dialogue, this resulted in the positive Progress Report 4, of which the findings regarding Ukraine's actual legislative and implementation are relatively unexpected.

The conditions that the EU had posited had a double character: on the one hand, technical provisions regarding security, in order to secure stability in the EU neighbourhood. On the other hand, these conditions are complemented with requirements on democratic values and human rights. The latter conditionality which had been the centre of attention in earlier negotiations had apparently lost its relevance. This is an indicator that several of the conditions were there to secure the EU's stability rather than actually transforming the political, legislative and economic institutional setup of its neighbouring countries.

In order to secure the technical provisions of the visa liberalisation process, the VLAP offered to Ukraine was part of multiple, simultaneous negotiation rounds. For instance, at the December 2011 EU-Ukraine summit in Kyiv, the EU had refused to initial the AA, the technical first stage in the process that 'signals the end of

negotiations and completion of a final document' (Kuzio, 2012, 15). Because of this multiplicity of negotiations and agreements, the EU was able to create a dense net of topic interlinkage with Ukraine. Many of its technical provisions are interlinked, increasing the EU's power to convince its partner of reforms and bring issues in the interest of the EU to the table.

Because of this plurality of integrational projects, the need for extensive legislative and regulatory approximation rose, together with the accompanying legal mechanisms – 'so as to ensure the uniform interpretation and effective implementation of relevant EU legislation' (Wolczuk, 223). This legal and regulatory convergence was expected 'to improve the quality of democracy, governance and the rule of law in Ukraine' (Wolczuk, 223) and thus also held expectations on further political association and integration, consolidating democratic reforms.

In this light, the ENP would seem not only an adequate, but also a comprehensive policy for transforming ENP-partner countries' policies and its ensuing conditionality demands form a positive incentive. Nevertheless, regarding the Visa Liberalisation Dialogue with Ukraine, the EU was significantly more willing to continue to following stages of the visa Liberalisation process with an openly pro-EU government in place. In fact, it was willing to leave some of the requirements of Block 4 unfulfilled.

The technical provisions are complemented by requirements on democratic harmonization. The Orange Revolution of 2004 fuelled further support among several EU Member-States to recognize 'the enhanced democratic credentials of Ukraine' (Wolczuk, 220). The Union had been equally critical of the democratic backslide under the Yanukovich presidency. Nevertheless, this did not translate in sanctions of any form nor of a diminished pace in the visa negotiations.

Negotiations on both the AA as well as visa liberalisation continued even during Yulia Tymoshenko's controversial imprisonment on 11 October 2011. Her sentence grew into a major obstacle, as it was seen as a clash with the values of international law and democracy the EU holds dear: the credibility of the EU's normative agenda was at stake (Casier et al, 2013) and the case became of symbolic value for the risks involved for both Kyiv and Brussels, when faced with making serious concessions. The most visible protest against the imprisonment of Tymoshenko was the cancellation of Yanukovich' planned visit to Brussels in October that year.

Nonetheless, the situation was never explicitly addressed in the Visa Liberalisation Dialogue and therefore could have only exerted indirect influence. A widely accepted explanation for this, is that the EU offers on the table were not accession, but a lighter form, which meant sanctions are hardly considered: 'the EU uses both 'carrots' and 'sticks' when offering membership of the union but is reluctant to use 'sticks' when only offering enlargement-lite; that is an Association Agreement and DCFTA' (Kuzio, 2012, 14). This explains the continued pace of the Visa Liberalisation Dialogue, despite the democratic backslide.

To sum up, concerning the presence of institutional and administrative capacities, the progress reports indicate Ukraine's institutional and executive capacity was inadequate throughout the negotiations. With numerous

additional issues that followed from the crisis in Ukraine, this capacity had not grown. However, the variable of regime change had been influenced to such an extent, that the EU eased its conditionality requirements.

As for the domestic demand for change, this was only latently present under civil society but had significantly increased after the Orange Revolution and further during the Yanukovych years (Matsievski, 2011). Euromaidan embodied this augmented demand and national consciousness.

The third variable considers the type of domestic regime and its resonance with EU norms. This variable underwent the most drastic changes, as the regime change indicated a desired resonance with the EU norms on the table. Nevertheless, with a weak institutional capacity this resonance was - at the time of Progress Report 4 - mostly verbal rather than actual.

Lastly, power and resource asymmetries were present throughout. Nonetheless, the leverage for the EU changed with the new government in place. As it openly announced its direction towards the EU, the its leverage increased as its primary competitor, Russia, had lost some of its priority.

6.2 Case conclusion

The main question addressed in this research is 'What explains the level of success of the instrument of Visa Liberalisation Dialogue for the EU's transformative power?' This discourse analysis has demonstrated how EU actions and identity were decisively formed through the context in which it operated rather than solely its designed instruments.

The conditions and requirements that the EU demanded to be fulfilled and to be met from Ukraine, indicate it expects to be able to exert direct influence. The emphasis on norms and values in the VLAP and Progress Reports further confirms the EU's assumed normative superiority. The technical requirements prove its interests in maintaining a stable ring of neighbours and its focus on safety and stability.

The motivation behind the eventual loss of relevance of the conditions in Block 4 is twofold. Firstly, the shock effects that the events in Ukraine had on international relations gave rise to a greater awareness of the political, strategic and economic importance of Ukraine (Pishchikova, 2014). The EU now found itself in the middle of a geopolitical strategic interplay and the tension with Russia grew stronger than the interests in and benefits of the fulfilment of its conditions. If the door of EU approximation would fully close, Ukraine's 'only integration option is within the CIS' (Kuzio, 2012, 16) meaning Russia would have achieved its strategic objective to keep Ukraine under its sphere of influence. This was additional motivation for the EU to state that Ukraine had sufficiently stepped up its efforts to pass new legislation to meet several of the EU conditions on visa liberalisation.

Secondly, the most notable difference between the political context of Progress Report 3 and 4 is the regime change. The political path of Yanukovych was dubiously dedicated to the EU, whereas the acting Turchynov government had decisively chosen for the EU. The fulfilment of several criteria stemming from both AA, DCFTA

and the VLAP lost their importance to the differential empowerment of the pro-EU government that the EU could offer by moving to following stages in the negotiation processes.

To sum up, external and contextual factors have exerted the most influence on both the offers of the EU, as well as the legislative proposals from Ukraine. These external factors drastically changed some of the variables indicating success of Europeanisation. Both the domestic demand for change as well as the resonance of EU norms with the regime underwent positive changes. However, these are contrasted by continuous administrative incapacity and additional political issues for the new government to address. Nevertheless, with the two variables positively influenced, the door had opened for the EU to disregard some of its earlier conditions in favour of Ukraine.

As for the future of visa liberalisation for Ukraine, a fifth report regarding progress made on the second phase benchmarks has been published in May 2015. Although this report falls outside of the scope of this research, it indicates how the transition from first phase to second phase benchmarks might have disclosed a premature optimism. Report 5 resembles the language and tone of the first three progress reports remarkably. It finds progressive developments have taken place. However, it concludes that 'more sustained efforts [...] are still required' (EC, Progress Report 5, 10). In fact, spokeswoman for Home Affairs Bertaud, declared Ukraine's ambitions for a visa-free status 'very ambitious in terms of timing' (RFE, 2015). A visa free future for Ukrainians travelling to the EU remains highly uncertain.

6.3 Conclusion

According to the theoretical models, Europeanisation is modelled by the EU as a direct source of influence. What this case study has shown, however, was a much more complex process. Firstly, agency was not solely dealt to the EU. Because of the regime change, both sides of the negotiations were decisively more willing to make concessions. This confirms the character of the Visa Liberalisation Dialogue as a politicized instrument. Rather than a purely technical tool inducing change, the instrument is dependent upon contextual changes improving the willingness compromise. The change in tone and perspective also confirms the relevance of the receiving actor. From this perspective, the willingness of the acting Ukrainian government indicates that the EU was now indeed perceived as a normative superior.

The findings of this case study have shown that the Visa Liberalisation Dialogue might be an effective tool in constructing and forming EU requirements. However, in this case what was decisive was the regime change. Hence, what explains the level of success for the Visa Liberalisation Dialogue in this case is context. Many of the reforms implemented actually followed the regime change rather than the conditions. With a pro-EU government in office in Ukraine, several conditions were believed to be met much quicker and easier. It appears that indeed, the EU was unable to sufficiently sanction the democratic backslide under Yanukovich as it was not able to offer membership. The 'carrot' of visa liberalisation in this case was not tempting enough to induce reforms.

This case study has illustrated how the transformative strength of the Visa Liberalisation Dialogue is insufficient to be classified as a direct source of influence in the range of Europeanisation tools. This strongly undermines the causality between conditionality and implementation of reforms. Instead, the change of actors on the receiving end of the negotiations has, in this case, exerted crucial influence over the variables indicating success of Europeanisation.

Following this logic, it can be concluded that the Visa Liberalisation Dialogue confirms the model of indirect influence of the Europeanisation process. The EU, then, is indeed an institute of socialisation, upon the condition that the actors on the other side of the negotiations perceive the EU as a normative superiority.

Instruments that are modelled after the appearance of direct influence, are ineffective if in reality the receiving actors hold more agency than assumed. Assuming Europeanisation is a desirable goal, future negotiations on visa liberalisation and related aspects of Europeanisation, should consider a revision of the instruments used, in order to achieve more successful and efficient Europeanisation.

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